

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JOSEPH BREELAND, :
Plaintiff, :
v. : Civil Action No. 3:12-CV-84
SUPT. JOHN FISHER, et al., : (Judge Kosik)
Defendants. :
:

ORDER

AND NOW, THIS 17 DAY OF MAY, 2012, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation of Magistrate Judge Martin C. Carlson dated April 24, 2012 (Doc. 39) is **ADOPTED**;
2. Plaintiff's "First Amended Complaint" (Doc. 38) shall be construed as the Complaint in this action and Defendants Anders, Vogt, and Nurse Mary as the only defendants;
3. Defendants Fisher, Lear, Grove, Henry, Rabenstein, Grove, and Drebellebius are dismissed from this action and the Clerk of Courts is directed to terminate these defendants from the docket; and
4. The above-captioned action is remanded to the Magistrate Judge for further proceedings.



Edwin M. Kosik
United States District Judge

**FILED
SCRANTON**

MAY 07 2012

PER M. G. P.
DEPUTY CLERK